

1 UNITED STATES DISTRICT COURT  
2 WESTERN DISTRICT OF WASHINGTON  
3 AT SEATTLE  
4

5 IN RE; PHENYLPROPANOLAMINE  
6 (PPA) PRODUCTS LIABILITY  
7 LITIGATION  
8

Cause No. C02-888

9 This document relates to:

10 Jeanette P. Favorite, et al. v. Bayer  
11 Corporation, et al. Cause No. C02-888  
12

ORDER GRANTING DEFENDANT  
BAYER'S MOTION FOR  
SUMMARY JUDGMENT AND  
DENYING PLAINTIFFS' MOTION  
TO AMEND COMPLAINT

13  
14 This matter comes before the court on Defendant Bayer's Motion for Summary Judgment  
15 of Dismissal. Plaintiffs' sole response to Bayer's motion is a motion to amend the complaint to  
16 cure the defects of the existing complaint by substituting the named plaintiff. The court finds  
17 plaintiffs' motion to be both untimely and without merit and orders the motion DENIED.  
18

19 Defendant Bayer's motion for Summary Judgment of Dismissal is GRANTED.

20 IT IS SO ORDERED this 17<sup>TH</sup> day of June 2004.

21 s/ Barbara Jacobs Rothstein

22 Barbara Jacobs Rothstein  
23 United States District Court Judge  
24  
25

26 ORDER GRANTING DEFENDANT  
BAYER'S MOTION FOR SUMMARY  
JUDGMENT AND DENYING PLAINTIFFS'  
MOTION TO AMEND COMPLAINT